

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

- [1] CARLOS SOTO DEL VALLE,
aka "Cano," aka "Nene Rubio,"
- [2] JOAQUIN CRUZ JIMENEZ,
aka "Joaco,"
- [3] NOEL SIERRA GONZALEZ,
aka "Joe," aka "Joesito," aka "Cojo,"
- [4] JOSE VAZQUEZ REYES, aka "Bupi,"
- [5] JAIME MARCANO ALGARIN,
- [6] AMILKA TORRES LLANOS,
- [7] CARLOS HAEDO MARRERO,
aka "Charlie,"
- [8] ENRIQUE CENTENO ANGULO,
aka "Combo,"
- [9] JOHN DOE, aka "Alex,"
Description: Mid-twenties, medium
complexed, approx. 5'8"

INDICTMENT

CRIMINAL NO. 99-*77 (JAF)*

Violations:

18 U.S.C. Section 2
18 U.S.C. Section 922(g)
18 U.S.C. Section 922(k)
18 U.S.C. Section 924(a)(2)
21 U.S.C. Section 841(a)(1)
21 U.S.C. Section 846

(FIVE COUNTS)

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- [10] GERONIMO PIZARRO CALDERON,
aka "Jerry Carpio,"
- [11] LUIS A. ROSARIO GALARZA,
aka "Buster," "Gordo,"
- [12] RAMON DEL VALLE RODRIGUEZ,
- [13] EDGARDO VALENTIN MEDINA, aka
"Monchici," aka "Moncho," aka "Monchi"
- [14] TEDDY LEON AYALA,
aka "El Negrito," aka "Teddy el de Gladiolas"
- [15] MIGUEL A. MONTES NIEVES,
aka "Tony El Flaco,"
- [16] EDWIN DE LEON,
- [17] PAUL GONZALEZ ECHEVARRIA,
aka "Pichi,"
- [18] RAFAEL COLLADO, aka "Rafi,"
- [19] ANGEL HERNANDEZ MORALES,
aka "El Gordo," aka "El Cucho,"
aka "El Pucho,"
- [20] GUILLERMO J. MARRERO SANTIAGO,
aka "Tony El Orejón," aka "Tony Cuajo"
- [21] FEDERICO OVIEDO VILLARMAN,
aka "Quique,"

Defendants.

THE GRAND JURY CHARGES:

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COUNT ONE

From on or about March, 1998 up to and including the date of this indictment, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] CARLOS SOTO DEL VALLE,
aka "Cano," aka "Nene Rubio,"

[2] JOAQUIN CRUZ JIMENEZ,
aka "Joaco,"

[3] NOEL SIERRA GONZALEZ,
aka "Joe," aka "Joesito," aka "Cojo,"

[4] JOSE VAZQUEZ REYES, aka "Bupi,"

[5] JAIME MARCANO ALGARIN,

[6] AMILKA TORRES LLANOS,

[7] CARLOS HAEDO MARRERO,
aka "Charlie,"

[8] ENRIQUE CENTENO ANGULO,
aka "Combo,"

[9] JOHN DOE, aka "Alex,"

[10] GERONIMO PIZARRO CALDERON,
aka "Jerry Carpio,"

[11] LUIS A. ROSARIO GALARZA,
aka "Buster," aka "Gordo"

[12] RAMON DEL VALLE RODRIGUEZ

[13] EDGARDO VALENTIN MEDINA,
aka "Monchichi," aka "Monchi," aka "Moncho,"

[14] TEDDY LEON AYALA,
aka "Negrito," aka "Teddy el de Gladiolas"

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[15] MIGUEL A. MONTES NIEVES,
aka "Tony el Flaco,"

[16] EDWIN DE LEON,

[17] PAUL GONZALEZ ECHEVARRIA, aka "Pichi,"

[18] RAFAEL COLLADO, aka "Rafi,"

[19] ANGEL HERNANDEZ MORALES,
aka "El Gordo," aka "El Cucho," aka "El Pucho,"

[20] GUILLERMO J. MARRERO SANTIAGO,
aka "Tony El Orejón," aka "Tony Cuajo"

[21] FEDERICO OVIEDO VILLARMAN,
aka "Quique,"

the defendants herein, and others to the Grand Jury known and unknown knowingly, willfully, intentionally and unlawfully did conspire, confederate, and agree together with each other and with divers other persons to the Grand Jury known and unknown, to knowingly, intentionally, and unlawfully possess with intent to distribute and distribute:

- a. five (5) kilograms or more, the exact amount being unknown, of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance;
- b. one (1) kilogram or more, the exact amount being unknown, of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance; and
- c. multi-pound quantities, the exact amount being unknown, of a mixture and substance containing a detectable amount of marijuana, a Schedule I Controlled Substance.

All in violation of Title 21, United States Code, Section 846.

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OBJECTIVE OF THE CONSPIRACY

It was the objective of the conspiracy to possess and distribute multi-kilogram quantities of cocaine, heroin, and marijuana in Puerto Rico and to arrange for a portion of the kilograms of cocaine to be transported to New York in return for heroin being transported to Puerto Rico.

It was also an objective of the conspiracy to purchase the illicit drugs at the lowest prices available so as to maximize profit.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that the defendants herein and their co-conspirators would communicate with each other in coded language when discussing their drug trafficking activities over the telephone and would keep each other apprised of the availability of drugs for purchase and also the lowest prices for which the drugs could be purchased.

It was part of the conspiracy that the defendants herein and their co-conspirators would keep each other apprised of surveillance by federal law enforcement officers.

It was part of the conspiracy that the defendants herein and their co-conspirators would carry firearms to protect their drugs and the proceeds from their drug trafficking.

ROLES OF THE CO-CONSPIRATORS

1. **CARLOS SOTO DEL VALLE**, aka "Cano," aka "Nene Rubio," coordinated the sale and distribution of large quantities of cocaine, heroin and marijuana to drug distribution points "puntos" in Puerto Rico. **SOTO DEL VALLE** also arranged for multi-kilogram shipments of cocaine to be transported to associates in New York in exchange for heroin.

2. **JOAQUIN CRUZ JIMENEZ**, aka "Joaco," served as **CARLOS SOTO DEL**

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VALLE's right-hand man and assisted **SOTO DEL VALLE** in selling and distributing the cocaine, heroin and marijuana to "puntos" in Puerto Rico. **JOAQUIN CRUZ JIMENEZ** also assisted **SOTO DEL VALLE** with sending cocaine to New York.

3. **NOEL SIERRA GONZALEZ**, aka "Joe," aka "Joesito," aka "Cojo," among other things, was a source of supply for multi-kilogram amounts of cocaine.

4. **JOSE VAZQUEZ REYES**, aka "Bupi," among other things, purchased kilogram amounts of cocaine and other drugs for further distribution.

5. **JAIME MARCANO ALGARIN**, would help to import heroin from Colombia, South America to Puerto Rico via Saint Maarten.

6. **AMILKA TORRES LLANOS**, among other things, supplied kilogram amounts of cocaine and purchased heroin.

7. **JOHN DOE**, aka "Alex," among other things, arranged for multi-kilogram amounts of cocaine to be sent from Puerto Rico to New York.

8. **ENRIQUE CENTENO ANGULO**, aka "Combo," among other things, purchased kilograms of cocaine and heroin and served as a broker for drug deals.

9. **CARLOS HAEDO MARRERO**, aka "Charlie," among other things, purchased and supplied kilograms of cocaine and heroin.

10. **GERONIMO PIZARRO CALDERON**, aka "Jerry Carpio," among other things, was a source of supply for multi-kilograms of cocaine, and purchased heroin and cocaine for distribution.

11. **LUIS A. ROSARIO GALARZA**, aka "Buster," aka "Gordo," among other

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things, purchased and supplied multi-kilogram amounts of cocaine.

12. **RAMON DEL VALLE RODRIGUEZ** purchased multi-kilogram amounts of cocaine for further distribution.

13. **EDGARDO VALENTIN MEDINA**, aka "Monchichi," aka "Monchi," aka "Moncho," among other things, distributed cocaine and heroin to "puntos" in Puerto Rico.

14. **TEDDY LEON AYALA**, among other things, sold cocaine and heroin at "puntos" in Puerto Rico.

15. **MIGUEL A. MONTES NIEVES**, aka "Tony el Flaco," among other things, sold cocaine and heroin at "puntos" in Puerto Rico.

16. **EDWIN DE LEON**, who resided in New York, received and supplied multi-kilogram amounts of cocaine from Puerto Rico.

17. **PAUL GONZALEZ ECHEVARRIA**, aka "Pichi," among other things, purchased multi-kilogram amounts of cocaine for further distribution.

18. **RAFAEL COLLADO**, aka "Rafi," who resided in New York, among other things, would receive multi-kilogram amounts of cocaine from Puerto Rico in exchange for heroin.

19. **ANGEL HERNANDEZ MORALES**, aka "El Gordo," aka "El Cucho," "El Pucho," distributed kilogram amounts of heroin and cocaine in Aguadilla, Puerto Rico.

20. **GUILLERMO J. MARRERO SANTIAGO** sold drugs at "puntos" in Puerto Rico.

21. **FEDERICO OVIEDO VILLARMAN**, aka "Quique," sold kilogram amounts of

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cocaine and purchased heroin for distribution.

Carlos Rosado Meléndez, now deceased and not charged herein, acted as an "accountant" for CARLOS SOTO DEL VALLE and JOAQUIN CRUZ JIMENEZ. He would help ensure that SOTO DEL VALLE and CRUZ JIMENEZ were paid for the drugs that they sold to various "puntos" in Puerto Rico. Rosado Meléndez also stored drugs and the proceeds from selling drugs at his residence.

OVERT ACTS

The following are among the overt acts that the defendants and their co-conspirators committed in the District of Puerto Rico, New York, and elsewhere.

1. On March 4, 1998, RAFAEL COLLADO, residing in New York, called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told COLLADO that if he (CRUZ JIMENEZ) received eight kilograms of cocaine, that they would each receive four kilograms of the cocaine.
2. On March 14, 1998, RAFAEL COLLADO, residing in New York, called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told COLLADO he would be sending kilograms of cocaine to CRUZ JIMENEZ in New York.
3. On May 5, 1998, ANGEL HERNANDEZ MORALES called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE offered HERNANDEZ MORALES some heroin.
4. On May 5, 1998, AMILKA TORRES LLANOS, called CARLOS SOTO DEL VALLE, at which time TORRES LLANOS agreed to check with an associate ("Domi") regarding

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the availability of 13 kilograms of cocaine that a friend of SOTO DEL VALLE wanted to purchase.

5. On May 6, 1998, CARLOS SOTO DEL VALLE called Carmelo Rosado Meléndez and told Rosado Meléndez that they were selling a kilogram of cocaine for twelve thousand dollars (\$12,000).

6. On May 6, 1998, Carmelo Rosado Meléndez, called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told Rosado Meléndez that he (CRUZ JIMENEZ) had sold two kilograms of cocaine and that SOTO DEL VALLE told CRUZ JIMENEZ to give him one kilogram of cocaine away on credit.

7. On May 6, 1998, ANGEL HERNANDEZ MORALES called CARLOS SOTO DEL VALLE to discuss the drug debt HERNANDEZ MORALES owed SOTO DEL VALLE.

8. On May 6, 1998, at approximately 12:04 p.m., CARLOS SOTO DEL VALLE called EDGARDO VALENTIN MEDINA and advised VALENTIN MEDINA that there were eight kilograms of cocaine available for twelve thousand dollars (\$12,000) each.

9. On May 6, 1998, at approximately 12:12 p.m., CARLOS SOTO DEL VALLE called EDGARDO VALENTIN MEDINA and advised VALENTIN MEDINA that he was going to provide VALENTIN MEDINA with a sample of drugs, and that if VALENTIN MEDINA liked it, he could keep it.

10. On May 6, 1998, at approximately 1:09 p.m., EDGARDO VALENTIN MEDINA called CARLOS SOTO DEL VALLE, at which time VALENTIN MEDINA told SOTO DEL VALLE to weigh the drugs.

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11. On May 6, 1998, CARLOS SOTO DEL VALLE detected and stopped some Drug Enforcement Administration Agents who were conducting surveillance.

12. Consequently, at approximately 5:48 p.m., on May 6, 1998, CARLOS SOTO DEL VALLE called EDGARDO VALENTIN MEDINA and told VALENTIN MEDINA to be careful because federal agents were in SOTO DEL VALLE's neighborhood, and on May 6, 1998, during the same telephone conversation referred to in Overt Act No. 11, CARLOS SOTO DEL VALLE told EDGARDO VALENTIN MEDINA that he (SOTO DEL VALLE) would deliver the drugs at a price of twelve thousand dollars (\$12,000).

13. On May 6, 1998, at approximately 7:58 p.m., JOSE VAZQUEZ REYES called CARLOS SOTO DEL VALLE, at which time they agreed to keep each other advised on the availability of drugs.

14. On May 6, 1998, at approximately 8:19 p.m., JOSE VAZQUEZ REYES called SOTO DEL VALLE and told SOTO DEL VALLE that there were kilograms of cocaine available which were selling for twelve thousand five hundred dollars (\$12,500) each.

15. On May 6, 1998, at approximately 9:33 p.m., CARLOS SOTO DEL VALLE called JOSE VAZQUEZ REYES and told VAZQUEZ REYES that he did not want the kilograms of cocaine that VAZQUEZ REYES had found, because his partner had found eight or ten selling for twelve thousand dollars (\$12,000).

16. On May 7, 1998, GUILLERMO MARRERO SANTIAGO and TEDDY LEON AYALA called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told LEON AYALA that the drugs arrived and that the price was ten thousand, five hundred dollars

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(\$10,500).

17. On May 7, 1998, CARLOS SOTO DEL VALLE called an Unindicted Co-Conspirator (hereinafter referred to as "UCC #1") and requested that UCC #1 tell "EL GORDO" (meaning ANGEL HERNANDEZ MORALES) to call SOTO DEL VALLE because SOTO DEL VALLE had more drugs for "EL GORDO" to sell.

18. On May 7, 1998, GERONIMO PIZARRO CALDERON called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE asked PIZARRO CALDERON when the drugs were going to arrive because SOTO DEL VALLE had already sold "five" or "ten" for PIZARRO CALDERON.

19. On May 7, 1998, GUILLERMO MARRERO SANTIAGO called JOAQUIN CRUZ JIMENEZ and told CRUZ JIMENEZ that CRUZ JIMENEZ needed to change the drugs ("peanuts") he was selling to MARRERO SANTIAGO because they were not profitable.

20. On May 8, 1998, CARLOS SOTO DEL VALLE called Carmelo Rosado Meléndez and informed Rosado Meléndez about the quantity of drugs that he (SOTO DEL VALLE) had for sale and that ROSADO Meléndez could offer the other "four" to whomever he wanted.

21. On May 8, 1998, CARLOS SOTO DEL VALLE and JOAQUIN CRUZ JIMENEZ called MIGUEL MONTES NIEVES, at which time MONTES NIEVES complained to SOTO DEL VALLE about the quality of drugs that he had received from SOTO DEL VALLE.

22. On May 8, 1998, GERONIMO PIZARRO CALDERON called CARLOS SOTO

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DEL VALLE and told SOTO DEL VALLE that the drugs had arrived and agreed to save "five" for SOTO DEL VALLE.

23. On May 8, 1998, GUILLERMO MARRERO SANTIAGO and an Unindicted Co-Conspirator (hereinafter referred to as "UCC #2") called JOAQUIN CRUZ JIMENEZ and requested that CRUZ JIMENEZ exchange the drugs that CRUZ JIMENEZ had with the drugs that MARRERO SANTIAGO and UCC #2 had.

24. On May 8, 1998, CARLOS SOTO DEL VALLE called ANGEL HERNANDEZ MORALES, at which time HERNANDEZ MORALES explained how he would pay off his drug debt to SOTO DEL VALLE.

25. On May 8, 1998, during a telephone conversation with ANGEL HERNANDEZ MORALES, CARLOS SOTO DEL VALLE asked an unidentified party who was with SOTO DEL VALLE, what happened to the box of bullets that the unidentified party was going to bring SOTO DEL VALLE.

26. On May 9, 1998, Carmelo Rosado Meléndez called CARLOS SOTO DEL VALLE, at which time they discussed drug debts that they were owed and also selling more drugs.

27. On May 9, 1998, at approximately 5:25 p.m., TEDDY LEON AYALA called JOAQUIN CRUZ JIMENEZ and asked CRUZ JIMENEZ if there were drugs available.

28. On May 9, 1998, at approximately 6:16 p.m, TEDDY LEON AYALA called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE advised LEON AYALA that he had more drugs and asked LEON AYALA if LEON AYALA wanted some more.

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29. On May 9, 1998, EDGARDO VALENTIN MEDINA called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE advised VALENTIN MEDINA about the arrival of heroin ("fresquecitas") yesterday.

30. On May 9, 1998, CARLOS HAEDO MARRERO called CARLOS SOTO DEL VALLE and advised SOTO DEL VALLE that he had the drugs ("las cositas") and SOTO DEL VALLE's money ("los chavitos").

31. On May 9, 1998, CARLOS SOTO DEL VALLE called MIGUEL MONTES NIEVES, at which time MONTES NIEVES complained to SOTO DEL VALLE about the quality of drugs that SOTO DEL VALLE sold to him.

32. On May 9, 1998, ENRIQUE CENTENO ANGULO called CARLOS SOTO DEL VALLE, at which time CENTENO ANGULO told SOTO DEL VALLE that he would give SOTO DEL VALLE the money from their drug trafficking.

33. On May 10, 1998, EDWIN DE LEON called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE advised DE LEON that the best price that he could obtain a kilogram of cocaine on behalf of DE LEON was for thirteen thousand, five hundred dollars (\$13,500).

34. On May 11, 1998, CARLOS SOTO DEL VALLE called ANGEL HERNANDEZ MORALES, at which time HERNANDEZ MORALES asked SOTO DEL VALLE if he had drugs available.

35. On May 11, 1998, at approximately 12:25 p.m., CARLOS HAEDO MARRERO called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told HAEDO

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MARRERO that he needed the kilograms of cocaine right away.

36. On May 11, 1998, in a telephone conversation occurring approximately one minute after the telephone conversation referred to in Overt Act No. 35, CARLOS HAEDO MARRERO asked CARLOS SOTO DEL VALLE how many kilograms of cocaine ("shoes") SOTO DEL VALLE needed.

37. On May 11, 1998, in a telephone conversation occurring less than twenty minutes after the telephone conversation described in Overt Act No. 35, CARLOS HAEDO MARRERO called CARLOS SOTO DEL VALLE, at which time they discussed the quality and prices of kilograms of cocaine which HAEDO MARRERO was going to purchase on behalf of SOTO DEL VALLE.

38. On May 11, 1998, EDWIN DE LEON called CARLOS SOTO DEL VALLE at which time SOTO DEL VALLE told DE LEON that he expected to send the kilograms of cocaine ("muchachos") to DE LEON in New York that week.

39. On May 11, 1998, MIGUEL MONTES NIEVES called CARLOS SOTO DEL VALLE and JOAQUIN CRUZ JIMENEZ, at which time MONTES NIEVES asked SOTO DEL VALLE and CRUZ JIMENEZ for drugs.

40. On May 11, 1998, at approximately 4:56 p.m., ENRIQUE CENTENO ANGULO called JOAQUIN CRUZ JIMENEZ and asked CRUZ JIMENEZ if he knew anyone that wanted to buy marijuana.

41. On May 11, 1998, at approximately 5:19 p.m., JOAQUIN CRUZ JIMENEZ called TEDDY LEON AYALA and asked LEON AYALA if he had marijuana ("food for the horses")

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available.

42. On May 12, 1998, EDWIN DE LEON called CARLOS SOTO DEL VALLE and asked SOTO DEL VALLE when the Airborne Express Package containing four kilograms of cocaine would be coming from Puerto Rico to New York. In the telephone conversation, DE LEON asked SOTO DEL VALLE if they were coming up here (meaning New York) today to which SOTO DEL VALLE responded that tomorrow (May 13, 1998) "they" would be coming over there (meaning New York).

43. On May 12, 1998, ANGEL HERNANDEZ MORALES called CARLOS SOTO DEL VALLE and asked SOTO DEL VALLE about the quality of some heroin that HERNANDEZ MORALES had just purchased for eleven thousand, five hundred dollars (\$11,500).

44. On May 12, 1998, CARLOS SOTO DEL VALLE called NOEL SIERRA GONZALEZ and told SIERRA GONZALEZ to find five kilograms ("five muchachos"). SIERRA GONZALEZ responded that he would have to make a call. SOTO DEL VALLE then told SIERRA GONZALEZ to call him back right away, because he (SOTO DEL VALLE) was in a hurry.

45. On May 12, 1998, JOSE VAZQUEZ REYES called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE asked VAZQUEZ REYES for five kilograms ("the square white ones") of cocaine.

46. On May 12, 1998, GERONIMO PIZARRO CALDERON called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE asked PIZARRO CALDERON if he

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(PIZARRO CALDERON) had any drugs ("muchachos").

47. On May 12, 1998, at approximately 2:51 p.m., JOAQUIN CRUZ JIMENEZ called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told CRUZ JIMENEZ that they were going to give them (meaning SOTO DEL VALLE and CRUZ JIMENEZ) fifteen kilograms of cocaine.

48. On May 12, 1998, at approximately 6:59 p.m., Carmelo Rosado Meléndez called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told Rosado Meléndez that "they" authorized him (SOTO DEL VALLE) to buy the kilograms of cocaine at fourteen thousand dollars (\$14,000).

49. On May 12, 1998, at approximately 7:21 p.m., JOAQUIN CRUZ JIMENEZ called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told CRUZ JIMENEZ that they were offering kilograms of cocaine for twelve thousand, eight hundred dollars (\$12,800) and that he (SOTO DEL VALLE) counter offered at twelve thousand, five hundred dollars (\$12,500) for each kilogram of cocaine.

50. On May 12, 1998, at approximately 7:41 p.m., CARLOS SOTO DEL VALLE called Carmelo Rosado Meléndez, at which time they decided that they would not pay twelve thousand, six hundred dollars (\$12,600) per kilogram of cocaine since the market rate was twelve thousand, five hundred dollars (\$12,500).

51. On May 13, 1998, CARLOS SOTO DEL VALLE called Carmelo Rosado Meléndez, at which time SOTO DEL VALLE and Rosado Meléndez discussed SOTO DEL VALLE's delivering drugs ("light bulbs") to Rosado Meléndez' house.

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52. On May 13, 1998, JOAQUIN CRUZ JIMENEZ called Carmelo Rosado Meléndez, at which time CRUZ JIMENEZ and Rosado Meléndez discussed buying drugs (“parts”).

53. On May 13, 1998, TEDDY LEON AYALA called JOAQUIN CRUZ JIMENEZ, at which time they discussed the availability, quality and pricing of cocaine and heroin for sale to their buyers.

54. On May 13, 1998, at approximately 6:00 p.m., TEDDY LEON AYALA called CARLOS SOTO DEL VALLE and asked SOTO DEL VALLE if there were kilograms of cocaine available and for what price. SOTO DEL VALLE responded that LEON AYALA should call “Joaco” (meaning JOAQUIN CRUZ JIMENEZ) because “Joaco” knew who the guy was. SOTO DEL VALLE also told LEON AYALA that the guy was “Joesito” from “Villa” (meaning NOEL SIERRA GONZALEZ).

55. On May 13, 1998, at approximately 6:14 p.m., TEDDY LEON AYALA called JOAQUIN CRUZ JIMENEZ and asked CRUZ JIMENEZ if there were any of the kilograms of cocaine (“square ones”). CRUZ JIMENEZ responded that there were none, because he had to return them (“Los tuve que devolver.”)

56. On May 13, 1998, CARLOS HAEDO MARRERO called CARLOS SOTO DEL VALLE to advise SOTO DEL VALLE that he knew someone who had kilograms of cocaine for sale.

57. On May 13, 1998, NOEL SIERRA GONZALEZ called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that he could get two kilograms of cocaine for SOTO

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DEL VALLE.

58. On May 13, 1998, at approximately 10:37 a.m., Carmelo Rosado Meléndez called JOAQUIN CRUZ JIMENEZ and told CRUZ JIMENEZ that there were seven kilograms of cocaine available at twelve thousand, five hundred dollars (\$12,500) each.

59. On May 13, 1998, at approximately 1:29 p.m., CARLOS SOTO DEL VALLE called NOEL SIERRA GONZALEZ and told SIERRA GONZALEZ that he would bring the money for the five kilograms of cocaine today.

60. On May 13, 1998, at approximately 1:35 p.m., CARLOS SOTO DEL VALLE called NOEL SIERRA GONZALEZ and told SIERRA GONZALEZ to send for seven kilograms of cocaine.

61. On May 13, 1998, at approximately 2:29 p.m., JOSE VAZQUEZ REYES called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told VAZQUEZ REYES that he did not need the kilograms of cocaine anymore because "Joe" (referring to NOEL SIERRA GONZALEZ) found "it" for him (SOTO DEL VALLE).

62. On May 13, 1998, at approximately 10:46 p.m., GERONIMO PIZARRO CALDERON called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told PIZARRO CALDERON that he (SOTO DEL VALLE) had just purchased four kilograms of cocaine at twelve thousand, five hundred dollars (\$12,500).

63. On May 13, 1998, in the same telephone conversation referred to in Overt Act No. 62, CARLOS SOTO DEL VALLE asked GERONIMO PIZARRO CALDERON if the drugs ("muchachos") had arrived.

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64. On May 13, 1998, at approximately 3:15 p.m., JOAQUIN CRUZ JIMENEZ called an Unindicted Co-Conspirator (hereinafter referred to as "UCC #3"), at which time UCC #3 asked CRUZ JIMENEZ if there was any heroin ("butter") available.

65. On May 13, 1998, at approximately 3:37 p.m., JOAQUIN CRUZ JIMENEZ called UCC #3, at which time UCC #3 asked CRUZ JIMENEZ for a sample of drugs for a buyer.

66. On May 13, 1998, at approximately 6:01 p.m., CARLOS SOTO DEL VALLE called NOEL SIERRA GONZALEZ and asked SIERRA GONZALEZ if he could obtain two additional kilograms of cocaine for "Teddy el de Gladiolas" (referring to TEDDY LEON AYALA).

67. On May 13, 1998, at approximately 6:12 p.m., JOHN DOE, aka "Alex", called CARLOS SOTO DEL VALLE, at which time they discussed how to send four kilograms of cocaine from Puerto Rico to New York City by Airborne Express.

68. On May 13, 1998, at approximately 10:30 p.m., JOHN DOE, aka "Alex," called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE gave JOHN DOE, aka "Alex," the number "11355," a zip code in Queens, New York (the address's zip code to where the Airborne Express package containing the four kilograms of cocaine would be mailed).

69. On May 14, 1998, Carmelo Rosado Meléndez called JOAQUIN CRUZ JIMENEZ and informed CRUZ JIMENEZ about the prices of kilograms of cocaine that were for sale.

70. On May 14, 1998, JOAQUIN CRUZ JIMENEZ called TEDDY LEON AYALA and asked LEON AYALA if LEON AYALA had marijuana ("hay"). LEON AYALA then

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asked CRUZ JIMENEZ if CRUZ JIMENEZ had any cocaine and heroin.

71. On May 14, 1998, EDGARDO VALENTIN MEDINA called CARLOS SOTO DEL VALLE and asked SOTO DEL VALLE if he knew who had drugs ("el trabajo").

72. On May 14, 1998, JOHN DOE, aka "Alex," called CARLOS SOTO DEL VALLE and gave the name "Jose Perez Ortiz" to SOTO DEL VALLE (the name of the addressee in Queens, New York which would be written on the Airborne Express package containing the four kilograms of cocaine).

73. On May 14, 1998, RAFAEL COLLADO called CARLOS SOTO DEL VALLE and Carmelo Rosado Meléndez to discuss when the Airborne Express package containing four kilograms of cocaine would arrive in Queens, New York from San Juan, Puerto Rico. In the telephone conversation, SOTO DEL VALLE told COLLADO that "those gifts" would arrive tomorrow morning (May 15, 1998) and that they would be under the name of "Jose Pérez Ortiz."

74. On May 14, 1998, at approximately 4:19 p.m., CARLOS SOTO DEL VALLE called JOSE VAZQUEZ REYES and asked VAZQUEZ REYES for three or four kilograms of cocaine.

75. On May 14, 1998, at approximately 8:41 p.m., JOSE VAZQUEZ REYES called CARLOS SOTO DEL VALLE, at which time VAZQUEZ REYES and SOTO DEL VALLE discussed the price of some kilograms of cocaine that were for sale.

76. On May 15, 1998, Carmelo Rosado Meléndez called JOAQUIN CRUZ JIMENEZ, at which time they discussed the poor quality of cocaine which Rosado Meléndez had obtained.

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77. On May 15, 1998, EDWIN DE LEON called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told DE LEON that "los muchachos" (meaning the Airborne Express Package) had been delivered (meaning to 130-14 60th Avenue, College Point Boulevard, Apt. No. 2E in Queens, New York), but they were not allowed in because there was a controlled access point in the building.

78. On May 15, 1998, CARLOS SOTO DEL VALLE called JOSE VAZQUEZ REYES and asked VAZQUEZ REYES to confirm the price of the kilograms of cocaine that VAZQUEZ REYES had told him about yesterday.

79. On May 15, 1998, LUIS ROSARIO GALARZA called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told ROSARIO GALARZA that he (SOTO DEL VALLE) was offered some kilograms of cocaine at thirteen thousand, three hundred dollars (\$13,300). ROSARIO GALARZA responded by telling SOTO DEL VALLE that he trusted SOTO DEL VALLE and that he would guarantee payment to SOTO DEL VALLE for the kilograms of cocaine.

80. On May 15, 1998, at approximately 2:33 p.m., RAFAEL COLLADO called CARLOS SOTO DEL VALLE to discuss the expected arrival of the Airborne Express package containing four kilograms of cocaine which was sent from San Juan, Puerto Rico to New York City. In the telephone conversation, SOTO DEL VALLE told RAFAEL COLLADO that the package will arrive today and once it was received to call SOTO DEL VALLE.

81. On May 15, 1998, at approximately 2:35 p.m., CARLOS SOTO DEL VALLE called JOHN DOE, aka "Alex," and told "Alex" that there was nothing yet (meaning the Airborne

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Express package had not yet arrived in New York). JOHN DOE, aka "Alex," responded that he would call them back again.

82. On May 15, 1998, at approximately 2:44 p.m., JOHN DOE, aka "Alex" called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE to instruct the guys to stay there (meaning the people in Queens, New York who were to receive the Airborne Express package containing the four kilograms of cocaine) because the delivery person (meaning the delivery person from Airborne Express) had still not made it to where the guys were.

83. On May 15, 1998, at approximately 4:40 p.m., JOHN DOE, aka "Alex," called SOTO DEL VALLE and told SOTO DEL VALLE to tell the guys (again referring to the people in Queens, New York who were waiting for the Airborne Express package) not to move because it was the last delivery (meaning the last delivery from Airborne express) and it should be there at 4:30 p.m. or 5:00 p.m.

84. On May 15, 1998, at approximately 4:57 p.m., CARLOS SOTO DEL VALLE called JOHN DOE, aka "Alex," and explained to "Alex" that the building had no access control and for them (referring to the Airborne Express delivery person) to ring the apartment bell in order to go upstairs. "Alex" responded that he was going to call "him" now (referring to "Alex" point of contact at Airborne Express)

85. On May 15, 1998, at approximately 6:30 p.m., JOHN DOE, aka "Alex," called RAFAEL COLLADO and explained to COLLADO how to receive the Airborne Express package at the apartment in Queens, New York.

86. On May 15, 1998, at approximately 6:33 p.m., a representative from Airborne

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Express called RAFAEL COLLADO who identified himself as "José," the first name of the addressee on the Airborne Express package containing four kilograms of cocaine which had been sent from Puerto Rico to New York. In the telephone conversation, the Airborne Express representative asked "José" for the correct address so that the package could be delivered. "José" responded that the correct address was 130-14 60th Avenue, Apartment No. 2E in College Point (Queens), New York. The Airborne Express representative then told "José" that the package was missing the apartment number and without the apartment number it was difficult to deliver the package.

87. On May 15, 1998, at approximately 6:39 p.m., JOHN DOE, aka "Alex," called CARLOS SOTO DEL VALLE and advised that the person (referring to the delivery person) arrived at the building (meaning 114-30 60th Avenue, Apartment No. 2E, at College Point Blvd. in Queens, New York), but left because he could not gain access to the building. JOHN DOE, aka "Alex," advised that "it" could still be delivered today or tomorrow morning.

88. On May 16, 1998, JOAQUIN CRUZ JIMENEZ called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told CRUZ JIMENEZ to offer thirteen thousand, five hundred dollars for each kilogram of cocaine which they were negotiating to buy.

89. On May 16, 1998, CARLOS SOTO DEL VALLE called ANGEL HERNANDEZ MORALES, at which time HERNANDEZ MORALES told SOTO DEL VALLE that the heroin he purchased turned out to be good.

90. On May 16, 1998, in the same telephone conversation referred to in Overt Act No. 89, CARLOS SOTO DEL VALLE asked ANGEL HERNANDEZ MORALES to purchase

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several kilograms of cocaine by calling UCC # 1.

91. On May 17, 1998, at approximately 1:26 p.m., CARLOS SOTO DEL VALLE called Carmelo Rosado Meléndez, at which time Rosado Meléndez told SOTO DEL VALLE that he was trying to obtain kilograms of cocaine at twelve thousand, five hundred dollars (\$12,500).

92. On May 17, 1998, in the same telephone conversation referred to in Overt Act No. 91, Carmelo Rosado Meléndez asked CARLOS SOTO DEL VALLE how much money JOAQUIN CRUZ JIMENEZ had left over from selling drugs.

93. On May 18, 1998, RAFAEL COLLADO called CARLOS SOTO DEL VALLE and Carmelo Rosado Meléndez, at which time they argued about who was responsible for lost drug shipments between Puerto Rico and New York.

94. On May 18, 1998, CARLOS SOTO DEL VALLE called NOEL SIERRA GONZALEZ and told him that the drugs were seized (referring to the four kilograms of cocaine that were sent via Airborne Express from Puerto Rico to New York and which were subsequently seized by the New York City police) and that he needed at least six kilograms of cocaine to replace those that belonged to the other people.

95. On May 18, 1998, an Unindicted Co-Conspirator (hereinafter referred to as "UCC # 4") and JOHN DOE, aka "Alex" called CARLOS SOTO DEL VALLE and advised that the person who was supposed to receive the Airborne Express package would not pay the \$10.00 delivery charge to receive the package and therefore the package was not delivered. UCC#4 further advised that the person had also changed his telephone number.

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96. On May 18, 1998, in the same telephone conversation referred to in Overt Act No. 95, JOHN DOE, aka "Alex," advised CARLOS SOTO DEL VALLE that they were taking measures to receive the package (referring to the package containing four kilograms of cocaine) if it was returned to Puerto Rico.

97. On May 18, 1998, LUIS ROSARIO GALARZA called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that he (ROSARIO GALARZA) had three-eighths of a kilogram of heroin available at twenty-two thousand dollars (\$22,000).

98. On May 18, 1998, at approximately 12:51 p.m., JOHN DOE, aka "Alex," called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that he would obtain the paperwork from Airborne Express proving that the package had been sent.

99. On May 19, 1998, JOHN DOE, aka "Alex," called CARLOS SOTO DEL VALLE and suggested to SOTO DEL VALLE that he change his cellular telephone in order to avoid detection by the authorities. In the telephone conversation, JOHN DOE, aka "Alex," advised SOTO DEL VALLE that if they were to check the record of the telephone calls made during those days (meaning the telephone calls made from RAFAEL COLLADO's cellular telephone), they could harass "Alex" and SOTO DEL VALLE.

100. On May 19, 1998, in the same telephone conversation referred to in Overt Act No. 99, JOHN DOE, aka "Alex," confirmed to CARLOS SOTO DEL VALLE that he ("Alex") had obtained the paperwork from Airborne Express to show that they (meaning SOTO DEL VALLE and "Alex") were not at fault for losing the package.

101. On May 19, 1998, at approximately 2:39 p.m., ANGEL HERNANDEZ

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MORALES called CARLOS SOTO DEL VALLE and asked SOTO DEL VALLE if he knew where he could obtain drugs.

102. On May 19, 1998, at approximately 5:32 p.m., ANGEL HERNANDEZ MORALES called CARLOS SOTO DEL VALLE, at which time SOTO DEL VALLE told HERNANDEZ MORALES that he had not been able to obtain any drugs for HERNANDEZ MORALES.

103. On June 17, 1998, at approximately 8:08 p.m., FEDERICO OVIEDO VILLARMAN, aka "Quique," called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told FEDERICO OVIEDO VILLARMAN, aka "Quique," that the drugs would be available for FEDERICO OVIEDO VILLARMAN, aka "Quique," to pick up.

104. On June 17, 1998, at approximately 10:29 p.m., QUIQUE called JOAQUIN CRUZ JIMENEZ, at which time they discussed the quality of drugs ("the armchairs were fast").

105. On June 18, 1998, CARLOS SOTO DEL VALLE called JOAQUIN CRUZ JIMENEZ and told CRUZ JIMENEZ to find out for how much the kilograms of cocaine ("muchachos") were selling.

106. On June 18, 1998, CARLOS SOTO DEL VALLE called JOAQUIN CRUZ JIMENEZ and told CRUZ JIMENEZ to find out for how much the kilograms of cocaine ("muchachos") were selling.

107. On June 18, 1998, at approximately 6:33 p.m., ENRIQUE CENTENO ANGULO called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told CENTENO ANGULO that the price was fifteen thousand dollars (\$15,000) each for two kilograms of cocaine.

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108. On June 18, 1998, UCC #3 called JOAQUIN CRUZ JIMENEZ, at which time UCC #3 and CRUZ JIMENEZ discussed the supplies of drugs that were available for sale.

109. On June 19, 1998, JOAQUIN CRUZ JIMENEZ called UCC #3, at which time UCC #3 asked CRUZ JIMENEZ for drugs.

110. On June 20, 1998, FEDERICO OVIEDO VILLARMAN, aka "Quique," called JOAQUIN CRUZ JIMENEZ, at which time they discussed exchanging drugs ("shirts") with each other.

111. On June 21, 1998, FEDERICO OVIEDO VILLARMAN, aka "Quique," called JOAQUIN CRUZ JIMENEZ who asked FEDERICO OVIEDO VILLARMAN, aka "Quique," if the drugs ("cloth") had arrived.

112. On June 22, 1998, UCC #3 called JOAQUIN CRUZ JIMENEZ, at which time UCC #3 asked CRUZ JIMENEZ about the drugs which CRUZ JIMENEZ was preparing for UCC #3.

113. On June 23, 1998, MIGUEL MONTES NIEVES called JOAQUIN CRUZ JIMENEZ and asked JOAQUIN CRUZ JIMENEZ for drugs.

114. On June 24, 1998, FEDERICO OVIEDO VILLARMAN, aka "Quique," called JOAQUIN CRUZ JIMENEZ and CARLOS SOTO DEL VALLE and told them that the drugs were seized by law enforcement.

115. On June 29, 1998, FEDERICO OVIEDO VILLARMAN, aka "Quique," called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that the drugs which were being delivered to FEDERICO OVIEDO VILLARMAN, aka "Quique," were wet.

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116. On June 29, 1998, in the same telephone conversation referred to in Overt Act No. 115, FEDERICO OVIEDO VILLARMAN, aka "Quique," and CARLOS SOTO DEL VALLE discussed the prices at which they would have to buy and sell kilograms of cocaine in order to make a profit.

117. On June 29, 1998, LUIS ROSARIO GALARZA called JOAQUIN CRUZ JIMENEZ, at which time CRUZ JIMENEZ told ROSARIO GALARZA to inform his buyer that the kilograms of cocaine were selling for fifteen thousand dollars (\$15,000) to fifteen thousand, two hundred dollars (\$15,200).

118. On June 29, 1998, MIGUEL MONTES NIEVES called CARLOS SOTO DEL VALLE and asked SOTO DEL VALLE for drugs.

119. On July 7, 1998, at approximately 8:16 p.m., RAMON DEL VALLE RODRIGUEZ called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that they were selling kilograms ("telas") of cocaine at fifteen thousand dollars (\$15,000) each.

120. On July 7, 1998, at approximately 10:01 p.m., RAMON DEL VALLE RODRIGUEZ called CARLOS SOTO DEL VALLE and told CARLOS SOTO DEL VALLE that they gave the kilograms of cocaine ("telas") to him (RAMON DEL VALLE RODRIGUEZ) at thirteen thousand, eight hundred dollars (\$13,800).

121. On July 9, 1998, CARLOS SOTO DEL VALLE called MIGUEL MONTES NIEVES, at which time MONTES NIEVES asked SOTO DEL VALLE for drugs.

122. On August 2, 1998, MIGUEL MONTES NIEVES called CARLOS SOTO DEL VALLE and advised SOTO DEL VALLE that he located some drugs and sold the drugs at a

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profit.

123. On August 4, 1998, RAMON DEL VALLE RODRIGUEZ called SOTO DEL VALLE and told SOTO DEL VALLE that there were some kilograms of cocaine ("yardas de tela") available at thirteen thousand dollars (\$13,000).

124. On August 5, 1998, MIGUEL MONTES NIEVES called CARLOS SOTO DEL VALLE and advised SOTO DEL VALLE that MONTES NIEVES' friend had some kilograms of cocaine to sell on consignment.

125. On August 7, 1998, RAMON DEL VALLE RODRIGUEZ called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that whatever heroin came would belong to them, meaning RAMON DEL VALLE RODRIGUEZ and CARLOS SOTO DEL VALLE and "Jaime" (referring to JAIME MARCANO ALGARIN).

126. On August 11, 1998, CARLOS SOTO DEL VALLE called AMILKA TORRES LLANOS, at which time TORRES LLANOS advised SOTO DEL VALLE that there were drugs available.

127. On August 12, 1998, PAUL GONZALEZ ECHEVARRIA, aka "Pichi" called CARLOS SOTO DEL VALLE, at which time PAUL GONZALEZ ECHEVARRIA, aka "Pichi," asked SOTO DEL VALLE if there were kilograms of cocaine available at twelve thousand, five hundred (\$12,500) each.

128. On August 15, 1998, CARLOS SOTO DEL VALLE called JAIME MARCANO ALGARIN, at which time MARCANO ALGARIN advised SOTO DEL VALLE on the status of the two couriers who were bringing heroin from St. Maarten to Puerto Rico.

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129. On August 15, 1998, CARLOS SOTO DEL VALLE called AMILKA TORRES LLANOS, at which time TORRES LLANOS told SOTO DEL VALLE that there would be drugs available the next day.

130. On August 20, 1998, at approximately 10:41 p.m., RAMON DEL VALLE RODRIGUEZ called CARLOS SOTO DEL VALLE and advised CARLOS SOTO DEL VALLE that they were offering eighths of a kilogram of heroin at eleven thousand dollars (\$11,000) each.

131. On August 20, 1998, at approximately 10:45 p.m., RAMON DEL VALLE RODRIGUEZ called CARLOS SOTO DEL VALLE and told SOTO DEL VALLE that there was heroin available at ten thousand, eight hundred dollars.

132. On August 22, 1998, JOAQUIN CRUZ JIMENEZ called an Unindicted Co-Conspirator (hereinafter referred to as "UCC #5") and asked UCC #5 how the drugs were selling.

133. On August 23, 1998, at approximately 1:46 p.m., JOAQUIN CRUZ JIMENEZ called UCC #5 and authorized him/her to give out a package of drugs as a sample.

The acts charged in Count One through Three (both Counts inclusive) of this Indictment are realleged herein and made to form part of this conspiracy. All in violation of Title 21, United States Code, Section 846.

COUNT TWO

On or about May 15, 1998, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] CARLOS SOTO DEL VALLE,
aka "Cano," aka "Nene Rubio,"

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[3] NOEL SIERRA GONZALEZ,
aka "Joe," aka "Joesito," aka "Cojo," and

[9] JOHN DOE, aka "Alex,"

the defendants herein, and others to the Grand Jury known and unknown, aiding and abetting each other, did knowingly, willfully, intentionally and unlawfully possess with intent to distribute approximately four (4) kilograms of cocaine, a Schedule II Narcotic Drug Controlled Substance, all in violation of Title 18, United States Code, Section 2, and Title 21, United States Code, Section 841(a)(1).

COUNT THREE

On or about May 14, and 15, 1998, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

[16] EDWIN DE LEON,

[18] RAFAEL COLLADO, aka "Rafi,"

the defendants herein, and others to the Grand Jury known and unknown, aiding and abetting each other, did knowingly, willfully, intentionally and unlawfully attempt to possess with intent to distribute approximately four (4) kilograms of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 18, United States Code, Section 2, and Title 21, United States Code, 841(a)(1). All in violation of Title 21, United States Code, Section 846.

COUNT FOUR

On June 30, 1998, in the District of Puerto Rico and within the jurisdiction of this court,

[2] JOAQUIN CRUZ JIMENEZ, aka "Joaco,"

the defendant herein, having been convicted of a crime punishable by imprisonment for a term

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exceeding one year, did knowingly, intentionally, and unlawfully possess one firearm in or affecting commerce, to wit: one (1) semi-automatic Smith & Wesson (Model SWV9), 9mm caliber pistol, having been shipped or transported in interstate or foreign commerce. All in violation of Title 18, United States Code, Sections 922(g) and 924(a)(2).

COUNT FIVE

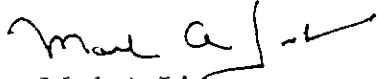
On June 30, 1998, in the District of Puerto Rico and within the jurisdiction of this court,

[2] JOAQUIN CRUZ JIMENEZ, aka "Joaco,"

the defendant herein, did knowingly possess one firearm which at sometime had been shipped or transported in interstate commerce to wit: one (1) semi-automatic Smith & Wesson (Model SW9V), 9mm caliber pistol, from which the manufacturer's serial number had been obliterated. All in violation of Title 18, United States Code, Section 922(k).

GUILLERMO GIL
United States Attorney

Jorge E. Vega Pacheco
Assistant U.S. Attorney
Chief, Criminal Division


Mark A. Irish
Assistant U.S. Attorney
Dated: March 24, 1999